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REVIEW OF FURTHER DEVELOPMENTS IN FIELDS WITH WHICH THE SUB-COMMISSION HAS BEEN CONCERNED

Plan of action for the Elimination of Harmful Traditional Practices affecting the Health of Women and Children

Introduction

1. The question of traditional practices affecting the health of women and children has been on the agenda of the Commission on Human Rights since 1984. Several resolutions have been adopted since, in which two regional seminars have been decided or authorized. The first seminar, for the African region, took place in Ouagadougou, Burkina Faso, from 29 April to 3 May 1991. The second one, for the Asian region, was held in Colombo, Sri Lanka, from 4 to 8 July 1994.

2. The objective of these seminars was to assess the human rights implications of certain traditional practices affecting the health of women and children, such as female genital mutilation, female infanticide and sex selective abortions, early marriage and dowry, son preference and its implications on the status of the girl child, delivery practices and violence against women.

3. These seminars provided an excellent opportunity for the exchange of information and experience among national officials in the regions in question, specialized agencies concerned, some United Nations organs and non-governmental organizations (NGOs).

4. From the detailed discussion which took place, it was observed that, despite the seriousness of the problems and the numerous resolutions and recommendations adopted at the international, regional and national levels, the question of traditional practices affecting the health of women and children, including female genital mutilation, had not received the attention it deserved from most of the States concerned.

5. Since 1979, such harmful traditional practices identified by organizations within the United Nations system as presenting risks to physical and mental health and involving suffering for women and young girls have been vigorously condemned. Accordingly, a number of recommendations regarding measures for the total elimination of such practices have been made by the States concerned. However, in the view of the participants in the seminars, such practices persist because of the lack of political will on the part of many States and the failure to inform and educate the family. Public opinion leaders, political parties, religious leaders, trade unions, legislators, educators, medical practitioners and the mass media have not been aware enough of the negative impact of these traditional practices on the most important sector of the society.

6. The following plan of action is based on the deliberations of the two seminars and is proposed with a view to the introduction of concrete and positive changes to redress the situation at the national and international levels.

Plan of Action for the Elimination of Harmful Traditional Practices affecting the Health of Women and Children

A. National action

(1) A clear expression of political will and an undertaking to put an end to traditional practices affecting the health of women and girl children, particularly female circumcision, is required on the part of the Governments of countries concerned.

(2) International instruments, including those relating to the protection of women and children, should be ratified and effectively implemented.

(3) Legislation prohibiting practices harmful to the health of women and children, particularly female circumcision, should be drafted.

(4) Governmental bodies should be created to implement the official policy adopted.

(5) Governmental agencies established to ensure the implementation of the Forward-looking Strategies for the Advancement of Women adopted at Nairobi in 1985 by the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, should be involved in activities undertaken to combat harmful traditional practices affecting the health of women and children.

(6) National committees should be established to combat traditional practices affecting the health of young girls and women, particularly female circumcision, and governmental financial assistance provided to those committees.

(7) A survey and review of school curricula and textbooks should be undertaken with a view to eliminating prejudices against women.

(8) Courses on the ill effects of female circumcision and other traditional practices should be included in training programmes for medical and paramedical personnel.

(9) Instruction on the harmful effects of such practices should be included in health and sex education programmes.

(10) Topics relating to traditional practices affecting the health of women and children should be introduced into functional literacy campaigns.

(11) Audio-visual programmes (sketches, plays, etc.) should be prepared and articles published in the press on traditional practices adversely affecting the health of young girls and children, particularly female circumcision.

(12) Cooperation with religious institutions and their leaders and with traditional authorities is required in order to eliminate traditional practices such as female circumcision which are harmful to the health of women and children.

(13) All persons able to contribute directly or indirectly to the elimination of such practices should be mobilized.

Son preference

(14) The family being the basic institution from where gender biases emanate, wide-ranging motivational campaigns should be launched to educate parents to value the worth of a girl child, so as to eliminate such biases.

(15) In view of the scientific fact that male chromosomes determine the sex of children, it is necessary to emphasize that the mother is not responsible for selection. Governments must, therefore, actively attempt to change the misconceptions regarding the responsibilities of the mother in determining the sex of the child.

(16) Non-discriminatory legislation on succession and inheritance should be introduced.

(17) In the light of the dominant role religion plays in shaping the image of women in each society, efforts should be made to remove misconceptions in religious teachings which reinforce the unequal status of women.

(18) Governments should mobilize all educational institutions and the media to change negative attitudes and values towards the female gender and

project a positive image of women in general, and the girl-child in particular.

(19) Immediate measures should be taken by Governments to introduce and implement compulsory primary education and free secondary education and to increase the access of girls to technical education. Affirmative action in this field should be adopted in favour of the promotion of girls' education to achieve gender equity. Parents should be motivated to ensure the education of their daughters.

(20) Considering the importance of promoting self-esteem as a prerequisite for their higher status of women in the family and the community, Governments should take effective measures to ensure that women have access to and have control over economic resources, including land, credit, employment and other institutional facilities.

(21) Measures must be taken to provide free health care and services to women and children (in particular, girls) and to promote health consciousness among women with emphasis on their own basic health needs.

(22) Governments should regularly conduct nutritional surveys, identify nutritional gender disparities and undertake special nutritional programmes in areas where malnutrition in various forms is manifested.

(23) Governments should also undertake nutritional education programmes to address, inter alia, the special nutritional needs of women at various stages of their life cycle.

(24) As son preference is often associated with future security, Governments should take measures to introduce a social security system especially for widows, women-headed families and the aged.

(25) Governments are urged to take measures to eliminate gender stereotyping in the educational system, including removing gender bias from the curricula and other teaching materials.

(26) Governments should encourage by all means the activities of non-governmental organizations concerned with this problem.

(27) Women's organizations should mobilize all efforts to eradicate prejudicial and internalized values which project a diminished image of women. They should take action towards raising awareness among women about their potential and self-esteem, the lack of which is one of the factors for perpetuating discrimination.

(28) Public opinion makers, national institutions, religious leaders, political parties, trade unions, legislators, educators, medical practitioners and all other organizations should be actively involved in combating all forms of discrimination against women and girls.

(29) Gender disaggregated data on morbidity, mortality, education, health, employment and political participation should be collected regularly,

analysed and utilized for the formulation of policy and programmes for girls and women.

Early marriage

(30) Governments are urged to adopt legislative measures fixing a minimum age for marriage for boys and girls. As recommended by the World Health Organization, the minimum age for girls should be 18 years. Such legislative measures should be reinforced with necessary mechanisms for its implementation.

(31) Registration of births and deaths, marriages and divorces should be made compulsory.

(32) Health issues relating to sex and family life education should be included in the school curricula to promote responsible and harmonious parenthood and to create awareness among young people about the harmful effects of early marriage, as well as the need for education about sexually transmitted diseases, especially AIDS.

(33) The media should be mobilized to raise public awareness on the consequences of child marriage and other such practices and the need to combat them. Government and women's activist groups could monitor the role of the mass media in this regard. All Governments should adopt and work towards "safe motherhood" initiatives.

(34) Effective training programmes should be ensured for traditional birth attendants and paramedical personnel to equip them with the necessary skills and knowledge, including concerning the effects of harmful traditional practices, to provide care and services during the ante-natal, child delivery and post-natal periods, especially for rural mothers.

(35) Governments should promote male contraception, as well as female contraception.

(36) To discourage the early marriage of girls, the Government should make provision to increase vocational training, retraining and apprenticeship programmes for young women to empower them economically. A certain percentage of the places in existing training institutions should be reserved for women and girls.

(37) Governments should recognize and promote the reproductive rights of women, including their right to decide on the number and spacing of their children.

(38) Considering that non-governmental organizations have an effective role in urging Governments to enhance women's health status and in keeping the international organizations informed about the trends relating to traditional practices affecting the health of women and children, they should continue to report on the progress made and obstacles encountered in this area.

Child delivery practices

(39) Contraception should be encouraged as a means of promoting the health of women and children rather than as a means of achieving demographic goals.

(40) Governments should eliminate through educational and legislative measures and the creation of monitoring mechanisms, all forms of harmful traditional childbirth practices.

(41) Governments should expand and improve health services and introduce training programmes for traditional birth attendants to upgrade their positive traditional skills, as well as to give them new skills on a priority basis.

(42) Research and documentation is essential to assess the harmful effects of certain traditional birth related practices and to identify and continue some positive traditions like breast-feeding.

Violence against women and girl children

(43) Violence against women and girl children is a global phenomenon which cuts across geographical, cultural and political boundaries and varies only in its manifestations and severity. Gender violence has existed from time immemorial and continues up to the present day. It takes covert and overt forms including physical and mental abuse. Violence against women, including female genital mutilation, wife-burning, dowry-related violence, rape, incest, wife battering, female foeticide and female infanticide, trafficking and prostitution, is a human rights violation and not only a moral issue. It has serious negative implications on the economic and social development of women and society, and is an expression of the societal gender subordination of women.

(44) Governments should openly condemn all forms of violence against women and children, in particular girls, and commit themselves to confronting and eliminating such violence.

(45) To stop all forms of violence against women, all available media should be mobilized to cultivate a social attitude and climate against such totally unacceptable human behaviour.

(46) Governments should set up monitoring mechanisms to control depiction of any form of violence against women in the media.

(47) Violence being a form of social aberration, Governments should advocate the cultivation of a social attitude so that victims of violence do not suffer any continuing disability, feelings of guilt, or low self-esteem.

(48) Governments should enact and regularly review legislation for effectively combating all forms of violence, including rape, against women and children. In this connection, more severe penalties for acts of rape and trafficking should be introduced and specialized courts should be established to process such cases speedily and to create a climate of deterrence.

(49) Female infanticide and female foeticide should be openly condemned by all Governments as a flagrant violation of the basic right to life of the girl-child.

(50) The hearing of cases of rape should be in camera and the details not publicized, and legal assistance should be provided to the victims.

(51) Traditional practices of dowry and bride price should be condemned by Governments and made illegal. Acts of bride-burning should likewise be condemned and a heavy penalty inflicted on the guilty.

(52) Families, medical personnel and the public should be encouraged to report and have registered all forms of violence.

(53) More and more women should be inducted in law enforcement machinery as police officers, judiciary, medical personnel and counsellors.

(54) Gender sensitization training should be organized for all law enforcement personnel and such training should be incorporated in all induction and refresher courses in police training institutions.

(55) Mechanisms for networking and exchanges of information on violence should be established and strengthened.

(56) Governments should provide shelters, counselling and rehabilitation centres for victims of all forms of violence. They should also provide free legal assistance to victims.

(57) Governments must develop and implement a legal literacy campaign to improve the legal awareness of women, including dissemination of information through all available means, particularly NGO programmes, adult literacy courses and school curricula.

(58) Governments must promote research on violence against women and create and update databases on this subject.

(59) Community-based vigilance should be promoted regarding gender violence, including domestic violence.

(60) At the national level, Governments should promote and set up independent, autonomous and vigilant institutions to monitor and inquire into violations of women's rights, such as national commissions for women consisting of individuals and experts from outside the Governments.

(61) Governments which have not done so are urged to ratify the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child, to ensure full gender equality in all spheres of life. The States Parties to these Conventions must comply with their provisions in order to achieve their ultimate objectives, including the eradication of all harmful traditional practices.

(62) NGOs should be active in bringing all available information on systematic and massive violence against women and children, in particular

girls, to the attention of all relevant bodies of the United Nations, such as the Centre for Human Rights, the Commission on the Status of Women, and specialized agencies for the necessary intervention. Such information should also be shared with the Governments concerned, womens' commissions and human rights organizations.

(63) Women's organizations should mobilize all efforts, including action research, to eradicate prejudicial and internalized values which project a diminished image of women. They should take action towards raising awareness among women about their potential and self-esteem, the lack of which is one of the factors for perpetuating discrimination.

B. International action

The Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities

(64) The question of traditional practices affecting the health of women and girl children should be retained on the agenda of the Commission on Human Rights and the Sub-Commission, so as to keep it under constant review.

The Commission on the Status of Women

(65) The Commission should give more attention to the question of harmful traditional practices.

(66) All the organs of the United Nations working for the protection and the promotion of human rights, and in particular the mechanisms established by the International Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, the Covenants on Human Rights and the Convention against Torture, should include in their agenda the question of all harmful traditional practices which jeopardize the health of women and girls and discriminate against them.

(67) Intergovernmental organizations and specialized agencies and bodies of the United Nations system, such as the United Nations Children's Fund, the the United Nations Development Programme, the United Nations Population Fund, the United Nations Development Fund for Women, the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization and the World Health Organization, should integrate in their activities the issue of confronting harmful traditional practices and elaborate programmes to cope with this problem.

3. United Nations specialized agencies

(68) Close coordination should be established between the Inter-African Committee and the relevant United Nations bodies, specialized agencies and regional organizations for the effective implementation of the Plan of Action. All specialized agencies should include in their aid programmes activities relating to the campaign against female circumcision and other traditional practices affecting the health of women and girl children.

4. Non-governmental organizations

(69) National and international non-governmental organizations concerned with protecting the health of women and children should include in their programmes activities relating to traditional practices affecting the health of women and girl children.

(70) International non-governmental organizations concerned with protecting the health of women and children should extend their financial and material support to national non-governmental organizations to ensure the success of their activities.

(71) Non-governmental organizations already positively engaged in activities for the elimination of traditional practices affecting the health of women and children should intensify those activities.

(72) Cooperation should also take place between non-governmental organizations and Governments in developing programmes for the retraining of female circumcision practitioners to enable them to achieve financial self-sufficiency through gainful activities.

(73) Non-governmental organizations should continue and reinforce their activities in favour of protecting the human rights of women and girl children, including the promotion of beneficial traditional practices.

Other measures

(74) Health workers should be required to dissociate themselves completely from harmful traditional practices.

(75) All women aware of the problem should be called on to react against traditional practices affecting the health of women and children and to mobilize other women.

(76) Women engaged in combating traditional practices affecting the health of women and children should exchange their experiences.